

House File 548 - Introduced

HOUSE FILE 548
BY COMMITTEE ON COMMERCE

(SUCCESSOR TO HSB 191)

A BILL FOR

1 An Act requiring that disconnection devices be installed
2 for certain distributed electric generation facilities,
3 providing penalties, and including effective date
4 provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 476.58 **Distributed generation**
2 **facilities — disconnection device required — penalty.**

3 1. For purposes of this section:

4 a. "*Disconnection device*" means a bypass meter socket
5 and lockable visual disconnect or other disconnection device
6 capable of disconnecting and de-energizing the residual voltage
7 in a distributed generation facility.

8 b. "*Distributed generation facility*" means a cogeneration
9 facility or a small power production facility that is a
10 qualifying facility under 18 C.F.R. pt. 292, subpt. B, used
11 by an interconnection customer to generate electricity that
12 operates in parallel with the electric distribution system, or
13 an alternate energy purchase facility.

14 c. "*Electric distribution system*" means the facilities and
15 equipment owned and operated by an electric utility and used to
16 transmit electricity to ultimate usage points from interchanges
17 with higher voltage transmission networks that transport bulk
18 power over long distances.

19 d. "*Electric meter*" means a device used by an electric
20 utility that measures and registers the integral of an
21 electrical quantity with respect to time.

22 e. "*Electric utility*" means a public utility that furnishes
23 electricity to the public for compensation.

24 f. "*Interconnection customer*" means a person that
25 interconnects a distributed generation facility to an electric
26 distribution system.

27 2. An interconnection customer shall install a
28 disconnection device below the electric meter at the location
29 where a new or existing distributed generation facility that is
30 interconnected to an electric distribution system is located.
31 For a new distributed generation facility, an interconnection
32 customer shall complete the installation within ten days
33 after receiving authorization from an electric utility to
34 interconnect the new distributed generation facility to an
35 electric distribution system. An interconnection customer

1 shall provide written notification to the electric utility
2 that uses the electric meter that the interconnection customer
3 will install a disconnection device before the installation
4 is completed. An interconnection customer shall permanently
5 affix an emblem or other label to the disconnection device
6 identifying the disconnection device as a disconnection device.

7 3. *a.* An interconnection customer shall submit the
8 following information in writing to the nearest local paid or
9 volunteer fire department within ten days of the installation
10 of a disconnection device as required by this section:

11 (1) The interconnection customer's name and address.

12 (2) The location of the distributed generation facility and
13 disconnection device.

14 (3) Documentation of the interconnection customer's
15 interconnection agreement with an electric utility.

16 (4) The date of the installation of the disconnection
17 device.

18 *b.* The state fire marshal may adopt rules pursuant to
19 chapter 17A to establish a format for the submission of
20 information required by this subsection and to require the
21 submission of additional information beyond that required by
22 paragraph "a" as necessary.

23 *c.* Other emergency services personnel or an electric
24 utility shall be afforded access to the information submitted
25 to a local paid or volunteer fire department pursuant to this
26 subsection upon request.

27 4. A local paid or volunteer fire department shall maintain
28 a registry of information received pursuant to subsection
29 3 for the purpose of alerting fire fighters responding to
30 an emergency situation that a location is equipped with a
31 distributed generation facility and that reasonable precautions
32 may be necessary when responding to the emergency situation.

33 5. *a.* An interconnection customer who, after written notice
34 by the board of a violation of this section, does not remedy
35 the violation, is subject to a civil penalty of not less than

1 one thousand dollars and not more than five thousand dollars
2 per violation. The written notice given by the board shall
3 specify an appropriate time for compliance.

4 *b.* Each violation is a separate offense. For a continuing
5 violation, each day of violation, after the time specified for
6 compliance in the written notice by the board, is a separate
7 and distinct offense. Any civil penalty may be compromised
8 by the board. In determining the amount of the penalty,
9 or the amount agreed upon in a compromise, the board may
10 consider the appropriateness of the penalty in relation to the
11 interconnection customer, the gravity of the violation, and
12 the good faith of the interconnection customer in attempting
13 to achieve compliance following notification of a violation,
14 and any other relevant factors.

15 *c.* Civil penalties collected pursuant to this section shall
16 be remitted by the board to the treasurer of state for deposit
17 in the general fund of the state.

18 Sec. 2. EFFECTIVE DATE. This Act takes effect January 1,
19 2016.

20 EXPLANATION

21 The inclusion of this explanation does not constitute agreement with
22 the explanation's substance by the members of the general assembly.

23 This bill requires an interconnection customer to install a
24 disconnection device below the electric meter at the location
25 where a new or existing distributed generation facility that is
26 interconnected to an electric distribution system is located.

27 The bill defines "interconnection customer" as a person
28 that interconnects a distributed generation facility to an
29 electric distribution system. The bill defines "distributed
30 generation facility" as a cogeneration facility or a small
31 power production facility that is a qualifying facility
32 under 18 C.F.R. pt. 292, subpt. B, used by an interconnection
33 customer to generate electricity that operates in parallel
34 with the electric distribution system, or an alternate energy
35 purchase facility. The bill defines "disconnection device" as

1 a bypass meter socket and lockable visual disconnect or other
2 disconnection device capable of disconnecting and de-energizing
3 the residual voltage in a distributed generation facility. The
4 bill defines "electric distribution system" as the facilities
5 and equipment owned and operated by an electric utility and
6 used to transmit electricity to ultimate usage points from
7 interchanges with higher voltage transmission networks that
8 transport bulk power over long distances.

9 For a new distributed generation facility, the bill requires
10 an interconnection customer to complete the installation
11 within 10 days after receiving authorization from an electric
12 utility to interconnect the new distributed generation facility
13 to an electric distribution system. The bill requires an
14 interconnection customer to provide written notification to
15 the electric utility that uses the electric meter that the
16 interconnection customer will install a disconnection device
17 before the installation is completed. The bill requires
18 an interconnection customer to permanently affix an emblem
19 or other label to the disconnection device identifying the
20 disconnection device as a disconnection device.

21 The bill requires an interconnection customer to submit
22 certain information relating to the interconnection customer,
23 the distributed generation facility, and the disconnection
24 device to the nearest local paid or volunteer fire department
25 within 10 days of the installation of a disconnection device
26 as required by the bill. The state fire marshal is given
27 rulemaking authority relating to the submission of such
28 information. The bill requires that other emergency services
29 personnel or an electric utility be afforded access to the
30 information submitted pursuant to the bill upon request.

31 The bill requires a local paid or volunteer fire department
32 to maintain a registry of information received pursuant to
33 the bill for the purpose of alerting fire fighters responding
34 to an emergency situation that a location is equipped with a
35 distributed generation facility and that reasonable precautions

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1 may be necessary when responding to the emergency situation.

2 An interconnection customer who violates the requirements of
3 the bill is subject to a civil penalty from the utilities board
4 of not less than \$1,000 and not more than \$5,000 per violation,
5 if the violation is not remedied after written notice by
6 the board of the violation. The bill permits the board to
7 compromise a civil penalty and provides factors that the board
8 may consider in determining the amount of a civil penalty.

9 The bill takes effect January 1, 2016.